

In The United States District Court
For The Middle District of North Carolina



Brian David Hill,
Defendant/Petitioner,

Case no.
1:13-cr-435
1:17-cv-1036

V.

United States of America,
Plaintiff/Respondant,

Declaration of Brian David Hill in support of continuing
Supervised Release, towards innocence in case

NOW comes criminal defendant and 2255 Petitioner
Brian David Hill ("Brian", "Hill") with a Declaration in
support of his innocence/non-guilt in "Commonwealth of
Virginia v. Brian David Hill" case no. C18-3138, and
support of compliance with Supervised Release which
means it should continue instead of revocation.

Declaration

I, Brian David Hill, make/produce the following statements,
and subject to the penalties of perjury thereof:

(1.) After I was threatened by the guy wearing the hoodie to get naked in public, take photos of myself, place them at the drop off point, a bench after Southern Finishing Factory, or as he said they will "Kill your mother Roberta Hill" referring to her first and last name. It was after midnight on the Dick and Willie trail which became September 21, 2018, still at night. I took the photos of myself around the part of Dick and Willie where an warehouse called Greene Co. Inc. was, around that area. The warehouse seem abandoned, the hiking trail had trees, a lot of trees and hills. Nobody was on the trail, nobody walked the trail at night. I had worried that a drone may have followed me to ensure that I comply with the directives of the guy wearing the hoodie. I didn't want to take any chances in case there was any drones or anybody following me. At one spot, I mean the area around Greene Co. Inc., nobody around, parking area of hiking trail empty, plenty of trees for cover if I had to. I took my pictures with my camera, to satisfy them, to make sure that my mother was safe. I never masturbated at all. My OCD was really bad, hand washing and body washing routines. There was no warm water and soap out there. I was worried about high blood sugar and low blood sugar, I was worried about my mother. Had some sugar cans, so I wouldn't die of low blood sugar. I was on my own.

Nobody saw me for miles I think, till I got to the point of the Dick and Willie trail where Southern Finishing factory was. The road close to the trail where a vehicle went by and must of seen me. I put my hand over my mouth, that was my left hand as a signal to any vehicles that I was in trouble and couldn't talk, flash light in right hand when I was seen, flash light off when I was seen by a moving vehicle. Then a truck with a spotlight showed up. I didn't know who they were, never identified themselves. I was afraid I upsetted the guy in the hoodie or his people, so I grabbed my backpack and ran back down the trail, tripped over rocks beside the trail right where some abandoned factory or warehouse was close to the fire department. I tried to go back on the trail, saw a little red light, a guy turned on ~~the~~ a flashlight, I was spooked so I ran and fell down the side of the trail, towards the creek, cuts all over my body, I likely hit my head. Then I was at the creek area, on a rock, the police where there, I finally realized that they were police and not goons working with or for the guy wearing the hoodie. I was handcuffed, told them "I was attacked," told them over and over again that I have Autism like "I have Autism... I have Autism... I have Autism... I have Autism." I told the police that I wanted to speak with a detective. I felt relieved that it wasn't the guy in the hoodie or any goons.

Even though I fell down the slope, cuts all over my body, my head likely got hit, I told the police officer, he appeared to have activated his body camera, I was shaken up but I tried to explain the situation as best as I could. I told him I have Autism. I tried to tell him about the guy in the hoodie, I was taken in an ambulance to the hospital, my mother and grandparents showed up, told them as much as I could what had happened. At one point I think that man was Officer R. D. Jones of Martinsville Police. He said that if I am lying, that I can be charged with filing a false report. I looked at him straight in the eyes and told Officer Jones that I told him the truth, all of that went on at the hospital. I was advised that I would be placed under arrest. Nobody walked on the trail when I was seen, hand over my mouth, guy in the hoodie, only time I was seen, ~~hand over~~ was the part of the trail where Southern Finishing factory was, where vehicles go by, but hardly any traffic at night. I signaled that I was gagged, that was why my hand was over my mouth. I never masturbated, I told the police the truth. When I was seen by a passing vehicle, I never masturbated, hand over my mouth and other hand with a flashlight.

(2.) My Attorney told me that unless I was aroused and masturbated, I wasn't doing anything indecent. He says that I am innocent, I mean not-guilty of indecent exposure.

Attorney said that I can bring up about the guy wearing the hoodie. Said that under the law, I would have to have masturbated or be aroused in public to have committed indecent exposure. After he heard my story about the guy in the hoodie, he said taking pictures of myself is not illegal. So he argued that I am technically innocent, essentially. When the trial date comes I want to testify and hope I have a copy of this Declaration, explain my story about the guy in the hoodie who had threatened to kill my mother, tell the whole story. I am confident I will be found innocent. In the event that I am found not-guilty, I hope the detainer is reversed or that the Probable cause hearing will dismiss the Supervised Release violation on the basis that I am found innocent in the Virginia criminal case. I pray that I am released promptly, in the event of an innocence verdict.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 9, 2018.

Brian D. Hill
Signed

Original Declaration
dated November 29,
2018. Hand written
copy of original
Declaration.

Brian David Hill (Pro Se)
#302165
Martinsville City Jail
P.O. Box 1326
Martinsville, VA 24114
U.S.W.G.O.

Respectfully filed with the Court, this the 10th day of December, 2018.

Certificate of Service

I, Brian David Hill, certify that I mailed the foregoing pleading by depositing in a prepaid envelope in the Institution's mailing system on December 10, 2018.

Then under the In Forma Pauperis statute, I request that the Clerk of the Court file this pleading, then serve all parties to this case by Notice of Electronic Filing through the CM/ECF system which will notify such parties.

Brian D. Hill
Signed

Brian David Hill (Pro Se)
#302165
Martinsville City Jail
P.O. Box 1326
Martinsville VA 24114
55 West Church Street
Martinsville, VA 24112
U.S.W.G.O.

Note: Hand written (imperfect) copy of original Declaration dated November 29, 2018, mailed December 3, 2018. Assumed lost or fettered with. Few errors were produced during copying process.